

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

**THE SPECIFICATION**

The specification has been amended to correct some minor informalities of which the undersigned has become aware, including all of the informalities pointed out by the Examiner. The specification has also been amended to better conform with the drawings, to correct the informalities pointed out by the Examiner in items 1-6 on pages 2-3 of the Office Action (in this connection, it is noted that one of the informalities pointed out in item 5 on page 3 of the Office Action has been corrected by amending Fig. 2 as described below).

No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered, and that the objection to the specification be withdrawn.

**THE DRAWINGS**

Fig. 2 has been amended to change "RESERVING SECTION" to "PRESERVING SECTION" to correct the informality pointed out by the Examiner in item 5 on page 3 of the Office Action.

It is respectfully pointed out, moreover, that Figs. 7(a) and 7(b) illustrate the switching of medical images from the order for radiographing (Fig. 7(a)) to the order for observation (Fig. 7(b)), as explained at page 38, lines 8-20 in the specification. As explained at page 38, line 21 to page 39, line 7, for example, the present invention enables switching from the order suitable for generation of images (i.e., as shown in Fig. 7(a)) to the order suitable for observation of images (i.e., as shown in Fig. 7(b)). It is respectfully submitted that Figs. 7(a) and 7(b) are fully and clearly described in the specification at, for example, pages 38-39, and it is respectfully requested that the objection thereto be withdrawn.

The remaining objections to the drawings have been addressed by amendments to the specification, as noted hereinabove.

Submitted herewith are a corrected sheet of formal drawing which incorporates the amendments and an annotated sheet showing the changes made thereto.

No new matter has been added, and it is respectfully requested that the Examiner's objection to the drawings be withdrawn.

THE CLAIM AMENDMENTS

Claims 1 and 7 have been amended to incorporate the subject matter of (now canceled) claim 2.

In addition, claims 1, 3-5 and 7 have been amended to replace the term "tool" in the claims with the term "section". This amendment presents the features of the claims in more structural terms.

Still further, claim 5 has been amended to avoid reciting that the correcting section is part of the first specifying section.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE REJECTIONS UNDER 35 USC 101 AND 35 USC 112

The Examiner has rejected claims 1-6 under 35 USC 101 as being directed to non-statutory subject matter, because the Examiner asserts that the "tools" recited in the original claims are directed to computer programs. The Examiner also rejected the claims under 35 USC 112 as being indefinite for not reciting specific structure. And the Examiner also rejected claim 5 as being indefinite for reciting the "correcting tool" as a component of the "first specifying tool."

As explained hereinabove, the term "tool" has been replaced by the more structural term "section" in claims 1, 3-5 and 7. In addition, claim 5 has been amended as noted hereinabove to avoid

reciting that the correcting section is part of the first specifying section.

Accordingly, it is respectfully requested that the rejection of claims 1-6 under 35 USC 101 and the rejection of claims 1-7 under 35 USC 112 be withdrawn.

THE PRIOR ART REJECTION

Claims 1-7 were rejected under 35 USC 102 as being anticipated by USP 6,501,827 ("Takasawa"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claims 1 and 7, a medical image processing apparatus is provided which comprises: a first specifying section which specifies a first display order of the medical image; a second specifying section which specifies information to be used for determining a display order of the medical image on the display device; and a correcting section which corrects the information to be used for determining the display order to conform to the first display order. According to amended independent claims 1 and 7, moreover, the first specifying section comprises a display which displays a received medical image in thumbnail form or in a list, and the displayed medical image is sorted to specify the first display order.

It is respectfully submitted that Takasawa does not disclose, teach or suggest the feature of the present invention as recited in claims 1 and 7 whereby the first specifying section comprises a display which displays a received medical image in thumbnail form or in a list, and the displayed medical image is sorted to specify the first display order.

More specifically, according to the first embodiment of Takasawa, a doctor specifies the order in which he or she wishes to view the images before radiographing is performed. The radiographing technician may then capture the images in any desired order, and the invention of Takasawa automatically rearranges the images captured by the technician into the order desired by the doctor. See columns 8-11 of Takasawa.

In addition, according to the second embodiment of Takasawa, a table, which is created in advance, stores the preferred sequences in which various doctors prefer to view radiographed images, as well as the preferred sequences in which various radiographing technicians prefer to perform the radiographing. By referring to the table, the invention of Takasawa permits a patient to be imaged in the order preferred by a specific technician, while the images are output in the order preferred by the doctor. See columns 11-13 of Takasawa.

Thus, Takasawa discloses setting a preferred observation order before radiographing (according to the first embodiment

thereof) and setting a table in advance to indicate preferred radiographing and observation orders. In other words, Takasawa discloses setting a preferred order of the images before radiographing.

By contrast, according to the present invention as recited in amended independent claims 1 and 7, the first specifying section comprises a display which displays a received medical image (that is, an already generated medical image) in thumbnail form or in a list, and the displayed medical image is sorted to specify the first display order.

It is respectfully submitted that Takasawa does not disclose, teach or suggest a medical image processing apparatus which receives a medical image information from another apparatus, performs an image processing and sends a medical image to a display device, as recited in claims 1 and 7, and wherein the medical image processing apparatus comprises a first specifying section that includes a display which displays a received medical image in thumbnail form or in a list, and the displayed medical image is sorted to specify the first display order (to which a second display order is corrected), as recited in amended independent claims 1 and 7.

In view of the foregoing, it is respectfully submitted that amended independent claims 1 and 7, as well as claims 3-6 depending from amended independent claim 1, all clearly

patentably distinguish over Takasawa under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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